

## Message Text

CONFIDENTIAL

PAGE 01 STATE 020507

65

ORIGIN PM-04

INFO OCT-01 AF-06 ISO-00 DODE-00 EB-07 L-03 MC-02 TRSE-00

OMB-01 CIAE-00 INR-07 NSAE-00 NSC-05 SP-02 SS-15

COME-00 AID-05 /058 R

DRAFTED BY PM/SAS:RWSMITH:RG

APPROVED BY PM:TSTERN

DOD/DSAA - MR. SOMMER

AF/I - MR. ANDEREGG

PM/SAS - MR. JAMES

----- 055937

P R 272325Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY LAGOS PRIORITY

INFO USCINCEUR

C O N F I D E N T I A L STATE 020507

E.O. 11652:GDS

TAGS:MASS, NI

SUBJECT: SALE OF T-2'S TO NIGERIA

REF: A. LAGOS 929; B. USCINCEUR 200926Z JAN 76;

C. LAGOS 707; D. LAGOS 322; E. LAGOS 12632; F. LAGOS 12144

1. EMBASSY MAY INFORM APPROPRIATE FMG AUTHORITIES IN RESPONSE TO FORMAL REQUEST REPORTED REFTEL D THAT USG APPROVES IN PRINCIPLE THE SALE OF TWO SQUADRONS OF T-2 JET TRAINERS TO NIGERIA UTILIZING FOREIGN MILITARY SALES (FMS) PROCEDURES UNDER AUTHORITY OF THE FOREIGN MILITARY SALES ACT, AS AMENDED. ANY SUCH SALE WOULD BE ON CASH BASIS SINCE NO USG FINANCIAL ASSISTANCE FOR NIGERIAN MILITARY IS PRESENTLY PROGRAMMED OR CONTEMPLATED. YOU SHOULD INFORM NIGERIANS THAT UNDER FMS PROCEDURES, PURCHASING GOVERNMENTS NEGOTIATE PROPOSED SALES DIRECTLY  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 020507

WITH COGNIZANT US MILITARY DEPARTMENT (IN THIS CASE THE

NAVY), AND NOT WITH THE MANUFACTURER. FMS CASES THEREFORE ARE GOVERNMENT-TO-GOVERNMENT AS COMPARED WITH PURELY COMMERCIAL SALES WHICH ARE COMPANY-TO-GOVERNMENT WITH ONLY USG INVOLVEMENT BEING APPROVAL BY STATE OF EXPORT LICENSE FOR ITEMS ON US MUNITIONS LIST.

2. ASSUMING THAT FMG WISHES TO PROCEED WITH TRANSACTION, IT SHOULD NEXT SUBMIT REQUEST THROUGH STATE FOR ISSUANCE OF LETTER OF OFFER AND ACCEPTANCE (LOA). US NAVY WOULD THEN PREPARE LOA FOR PRESENTATION TO FMG. NORMAL ANTICIPATED TIME FOR PREPARATION OF LOA IS 60 DAYS. DOD WOULD BE WILLING TO HAVE ITS FMS EXPERTS PRESENT LOA IN LAGOS AND EXPLAIN GENERAL FMS PROCEDURES. COSTS OF SUCH ASSISTANCE COULD BE ABSORBED BY GENERAL ADMINISTRATIVE CHARGES ASSOCIATED WITH ALL FMS CASES. SHOULD FMG NEED OR REQUEST MORE EXTENSIVE ASSISTANCE SUCH AS FULL SCALE SURVEY, RESULTANT ADDITIONAL COSTS WOULD BE CHARGED AS SEPARATE LINE ITEM WITHIN LOA.

3. FYI: COMMENT CONTAINED PARA 2 REFTEL B REGARDING THE SENSE OF CONGRESS ON COMMERCIAL SALES IS NOW LIKELY TO BE DRASTICALLY ALTERED. THERE IS GROWING SENTIMENT ON THE HILL FOR CLOSER CONGRESSIONAL SCRUTINY OF COMMERCIAL ARMS SALES AND FOR BRINGING MAJOR TRANSACTIONS UNDER FMS. THE SENATE HAS PROPOSED LEGISLATION, WHICH MAY WELL BE ACCEPTED BY THE HOUSE AS WELL, THAT INDIVIDUAL ARMS SALES ABROAD UNDER COMMERCIAL AUSPICES EXCEEDING \$25 MILLION MUST BE SUBMITTED, AS IS PRESENTLY THE CASE WITH FMS CASES, TO CONGRESS IN ADVANCE FOR ITS CONSIDERATION. HOUSE BILL CANCELS EXISTING PROVISION ENDORSING COMMERCIAL CHANNELS.

4. FYI: OUR DECISION TO APPROVE IN PRINCIPLE THIS PROPOSED FMS PURCHASE BY NIGERIA IS BASED UPON OUR UNDERSTANDING OF THE SECURITY NEEDS OF THE FMG AS WELL AS US SECURITY. THE POSSIBILITY THAT IF THE USG DELAYED MAKING A DECISION THEN ANOTHER SUPPLIER COUNTRY MIGHT MAKE THE SALE DID NOT INFLUENCE THE OUTCOME. KISSINGER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PILOT TRAINING, MILITARY SALES, AIRCRAFT SALES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE020507  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** RWSMITH:RG  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760031-0536  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760116/aaaaanro.tel  
**Line Count:** 98  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN PM  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 LAGOS 929  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 JUL 2004 by ellisoob>; APPROVED <14 OCT 2004 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SALE OF T-2'S TO NIGERIA  
**TAGS:** MASS, NI  
**To:** LAGOS  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006